

09-08-1998



100823907

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San Francisco, CA 94111

U.S. Department of Commerce
Patent and Trademark Office

TRADEMARK

SEP 1 1998

RECORDATION FORM COVER SHEET TRADEMARKS ONLY

MRD 9.1.98

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type



New



Resubmission (Non-Recordation)

Document ID #



Correction of PTO Error

Reel #

Frame #



Corrective Document

Reel #

Frame #

Conveyance Type



Assignment



License



Security Agreement



Nunc Pro Tunc Assignment



Merger



Change of Name



Other

Effective Date

Month Day Year

03 22 1997

Conveying Party



Mark if additional names of conveying parties attached

Execution Date
Month Day Year

Name

Fresh Choice Produce, Inc.

03 22 1997

Formerly



Individual



General Partnership



Limited Partnership



Corporation



Association



Other



Citizenship/State of Incorporation/Organization

California

Receiving Party



Mark if additional names of receiving parties attached

Name

NewStar Fresh Foods, LLC

DBA/AKA/TA

Composed of

Address (line 1)

P. O. Box 5999

Address (line 2)

126 Sun Street

Address (line 3)

Salinas

City

CA/USA

State/Country

93901

Zip Code



Individual



General Partnership



Limited Partnership



If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from Assignment)



Corporation



Association



Other

Limited Liability Company



Citizenship/State of Incorporation/Organization

Delaware

09/03/1998 SSMITH 00000061 1549414

FOR OFFICE USE ONLY

01 FC:481
02 FC:48240.00 OP
150.00 OP

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Mail documents to be recorded with required cover sheet(s) information to:
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

REEL: 1777 FRAME: 0696

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

Correspondent Name and Address

Area Code and Telephone Number

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

Pages

Enter the total number of pages of the attached conveyance document including any attachments.

#

Trademark Application Number(s) or Registration Number(s)

☐

Mark if additional numbers attached

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

Trademark Application Number(s)			Registration Number(s)		
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="1549414"/>	<input type="text" value="1531121"/>	<input type="text" value="1599779"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="1604879"/>	<input type="text" value="726314"/>	<input type="text" value="710381"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="1094665"/>	<input type="text"/>

Number of Properties

Enter the total number of properties involved.

#

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41):

\$

Method of Payment:

Enclosed ☒

Deposit Account ☐

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

#

Authorization to charge additional fees:

Yes ☐

No ☐

Statement and Signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as

~~Notar Seal~~ **Notar Seal** Fresh Foods LLC

Robert V. Jenkins
Managing Director

Name of Person Signing

Signature

Date Signed

8/6/98

TRADEMARK

REEL: 1777 FRAME: 0697

United States

ASSIGNMENT OF TRADEMARKS

WHEREAS, Fresh Choice Produce, Inc. ("Assignor"), a California corporation, located and doing business at 126 Sun Street, Salinas, California 93915, has adopted, used and is using the trademarks (the "Marks") and is the owner of the United States registrations thereof (the "Registrations") identified in the attached Schedule A; and

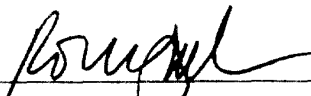
WHEREAS, NewStar Fresh Foods, LLC ("Assignee"), a Delaware limited liability company, located and doing business at 126 Sun Street, Salinas, California 93915, has acquired all rights, title and interest in and to the Marks and Registrations thereof, pursuant to a Consolidation Agreement between Assignor and Assignee dated as of March 22, 1997; and

WHEREAS, Assignor and Assignee desire that the transfer of the Marks and the Registrations thereof be evidenced by a written assignment of the Marks from Assignor to Assignee;

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, Assignor does hereby assign effective as of March 22, 1997 unto Assignee, and its successors and assigns, all rights, title and interest in the Marks throughout the world, whether common law, statutory or otherwise, together with the goodwill of the business symbolized by the Marks, and any and all applications for registration thereof, and any and all registrations thereof (including without limitation the Registrations), whether existing or expired or canceled, in the United States, in any state, territory or possession of the United States, and in any foreign country or elsewhere.

Dated: 3/22, 1997.

FRESH CHOICE PRODUCE, INC.

By 
Name: ROBERT JENKINS
Title: President

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF CALIFORNIA)
) ss.
County of Monterey)

On this the 22nd day of May, 1997, before me Eileen M. Rogers, the undersigned Notary Public, personally appeared Robert V. Jenkins, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed the within instrument as President on behalf of Fresh Choice Produce, Inc., and acknowledged to me that Fresh Choice Produce, Inc. executed it.

WITNESS my hand and official seal.



Eileen M. Rogers
Notary Public

My commission expires:

March 24, 2000

Schedule A

<u>Trademark</u>	<u>Registration Number</u>	<u>Registration Date</u>
MOR GREEN (and Design)	710,381 Supplemental Register	Jan. 24, 1961
OMO (stylized)	726,314	Jan. 9, 1962
BIG MO	1,094,665	June 27, 1978
SWINGATE GARDEN	1,468,573	Dec. 8, 1987
JENNY'S GARDEN	1,468,574	Dec. 8, 1987
SWINGATE FARMS	1,469,286	Dec. 15, 1987
PREMIER FARMS	1,534,549	Apr. 11, 1989
SALUTE	1,531,121	Mar. 21, 1989
PADRE	1,546,647	July 4, 1989
DESERT COAST	1,549,414	July 25, 1989
FRESH EFFECTS	1,550,407	Aug. 1, 1989
VERIGREEN	1,585,992	Mar. 6, 1990
PREFERRED PRODUCE	1,587,303 Supplemental Register	Mar. 13, 1990
TRIPLE WASHED (and Design)	1,599,779	June 5, 1990
MONTECITO (and Design)	1,604,879	July 3, 1990
PREMIER FARMS	2,042,620	Mar. 11, 1997

Japan

ASSIGNMENT OF TRADEMARKS

ASSIGNEE: NewStar Fresh Foods, LLC,
a Delaware limited liability company
126 Sun Street
Salinas, California 93915
United States of America

ASSIGNOR: Fresh Choice Produce, Inc.,
a ~~Delaware~~ ^{California} corporation
126 Sun Street
Salinas, California 93915
United States of America

WHEREAS, FRESH CHOICE PRODUCE, INC., the above-mentioned Assignor, is the owner of the following Trademarks and Trademark Applications in Japan (the "Trademarks"):

<u>Trademark</u>	<u>Application Number</u>	<u>Application Date</u>
MORGREEN	1-3175	January 17, 1989
OSHITA and Design	1-3174	January 17, 1989
ROYALE	1-3176	January 17, 1989

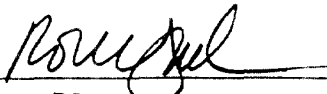
and

WHEREAS, NEWSTAR FRESH FOODS, LLC, the above-mentioned Assignee, has acquired all right, title and interest in and to the Trademarks;

NOW, THEREFORE, Assignor hereby assigns unto Assignee, its successors and assigns, all of its right, title and interest in and to the Trademarks together with the goodwill of the business symbolized thereby so far as Japan is concerned.

Executed this 27 day of March, 1997.

FRESH CHOICE PRODUCE, INC.

By 
Name: ROBERT JENKINS
Its: President

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF CALIFORNIA)

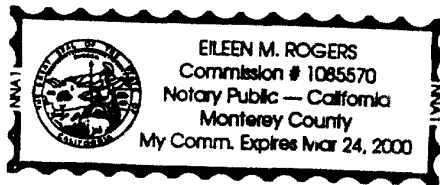
)

SS.

County of Monterey)

On this the 22nd day of May, 1997, before me Eileen M. Rogers, the undersigned Notary Public, personally appeared Robert V. Jenkins, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed the within instrument as President on behalf of Fresh Choice Produce, Inc., and acknowledged to me that Fresh Choice Produce, Inc. executed it.

WITNESS my hand and official seal.



Eileen M. Rogers
Notary Public

My commission expires:

March 24, 2000